

Jody L. McLeod
MAYOR

Bruce Thompson
TOWN ATTORNEY

Steve Biggs
TOWN MANAGER



Bob Satterfield
Alex Harding
R.S. "Butch" Lawter, Jr.
Art Holder
COUNCIL MEMBERS

Michael Grannis
MAYOR PRO TEM

TOWN COUNCIL MEETING

FEBRUARY 07, 2011

AGENDA

MAYOR AND TOWN COUNCIL

**MAYOR JODY L. MCLEOD
MAYOR PRO TEM MICHAEL GRANNIS
COUNCILMAN BOB SATTERFIELD**

**COUNCILMAN ALEX HARDING
COUNCILMAN R.S. "BUTCH" LAWTER, JR.
COUNCILMAN ART HOLDER**

TOWN STAFF

**STEVE BIGGS, TOWN MANAGER
SHERRY L. SCOGGINS, TOWN CLERK
BRUCE THOMPSON II, TOWN ATTORNEY**

AGENDA
THE REGULAR MEETING OF THE CLAYTON TOWN COUNCIL

MONDAY, FEBRUARY 7, 2011
7:30 PM

THE CLAYTON CENTER
COUNCIL CHAMBERS

1. **CALL TO ORDER**
Pledge of Allegiance
Invocation – Mayor Jody L. McLeod
2. **ADJUSTMENT OF THE AGENDA**
3. **CONSENT AGENDA**
(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Council may request to have an item removed from the consent agenda for further discussion.)
 - a. Draft minutes from the January 18, 2011, regular meeting.
 - b. Two final acceptances for asphalt work at Moss Creek Subdivision Phases 1 & 2 and Glen Laurel East Phase 1.
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
5. **PUBLIC HEARINGS**
6. **OLD BUSINESS**
 - a. Proposal regarding a rental property registration program as adopted in the 2010-2011 retreat and work plan.
7. **NEW BUSINESS**
 - a. Proclamation proclaiming February as American Heart Month.
8. **STAFF REPORTS**
 - a. Town Manager
 - b. Town Attorney
 - c. Town Clerk
 - Calendar of Events
 - d. Other Staff
9. **OTHER BUSINESS**
 - a. Informal Discussion & Public Comment.
 - b. Council Comments.
10. **ADJOURNMENT**

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 3a

Meeting Date: 2/07/11

TITLE: DRAFT MINUTES FROM THE JANUARY 18, 2011, REGULAR MEETING.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

2-07-11

Approval.

DRAFT minutes the
1/18/2011 meeting.

**MINUTES
CLAYTON TOWN COUNCIL
JANUARY 18, 2011**

The second regular meeting of the Clayton Town Council for the month of January was held on Tuesday, January 18, 2011, at 7:30 PM at Town Hall, 111 East Second Street.

PRESENT: Mayor Jody L. McLeod, Mayor Pro Tem Michael Grannis, Councilman Bob Satterfield, Councilman R. S. "Butch" Lawter Jr., Councilman Alex Harding, and Councilman Art Holder.

ALSO PRESENT: Steve Biggs, Town Manager; Brenton McConkey, Town Attorney; Sherry Scoggins, Town Clerk; Nancy Medlin, Deputy Town Manager; David DeYoung, Planning Director; Tim Simpson, Public Works & Utilities Director; Lee Barbee, Fire Chief; Tommy Roy, Information Services Technician

ITEM 1. CALL TO ORDER

Mayor McLeod called the meeting to order at 7:30 PM and led the Pledge of Allegiance. Mayor McLeod gave the invocation.

ITEM 2. ADJUSTMENT OF THE AGENDA

It was the consensus of the Council to approve the agenda as presented.

ITEM 3. ACTION AGENDA

Councilman Satterfield motioned to approve the action agenda as presented; Councilman Harding seconded the motion. The motion carried unanimously with the following action agenda item being approved at 7:31 PM:

Item 3a. Draft minutes from the January 3, 2011, regular meeting.

ITEM 4. INTRODUCTIONS & SPECIAL PRESENTATIONS

Item 4a. Introduction of new Town of Clayton employee(s).

The following new Town of Clayton employees were introduced:

- Christopher Stowe, Fleet Maintenance Mechanic
- David DeYoung, Planning Director

ITEM 5. ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA

Item 5a. Presentation of Street Performance Policy.

Town Manager Biggs stated background materials were included in the agenda packet; herewith attached. He stated when designing the Town lot on Main and Lombard Streets, public parking and beautification elements were included as was a plaza element to support the Town's downtown nightlife with public performance. He stated the performance would be a smaller scale than the Concert on the Square Series at the Town Square. He stated guidelines, application, and permit were drafted for the upcoming warmer weather.

Based upon question by Council, Town Manager Biggs stated there is an expectation the performances will attract the downtown visitors. He stated this is an entirely different scale than the Concert on the Square and he added he does not foresee this impacting parking in downtown.

Based upon question by Council, Town Manager Biggs stated individuals wanting to sell souvenirs or crafts would obtain a privilege license. He stated an individual performing for tips would not obtain a privilege license.

Based upon question by Council, Town Manager Biggs stated in terms of enforcement an individual would need to have his/her application and license in hand. He added these will be spot checked.

Mayor McLeod stated this is a great idea and a promotion of the arts community concept with guidelines.

Based upon question by Council, Town Manager Biggs stated the language is vague and this is modeled after similar processes elsewhere. He stated it will be subjected to the reality test and re-evaluated if necessary.

Town Manager Biggs stated this is being handled through the DDA and is a report item only.

Item 5b. Presentation of two final acceptances for asphalt work at Moss Creek Subdivision Phases 1 & 2 and Glen Laurel East Phase 1.

It was the consensus of the Council to place this item on the consent agenda.

ITEM 6. ITEMS CONTINGENT FOR THE REGULAR MEETING

No Items Contingent for the Regular Meeting were presented.

ITEM 7. ITEMS FOR DISCUSSION

Item 7a. Distribution of FY 11-12 budget calendar.

It was the consensus of the Council to schedule the FY 11-12 budget work session on Tuesday, May 24, 2011, at 6:00 PM, location to be announced.

ITEM 8. OLD BUSINESS

No Old Business was presented.

ITEM 9. STAFF REPORTS

Item 9a. Town Manager

- **Status report on the implementation of fire department personnel shift program in accordance with FY 10-11 Budget.**

Town Manager Steve Biggs stated this fiscal year is a conservative budget year. He stated there was a need to make changes within the fire services for fire response and preparedness. He stated a shift program was successfully implemented on January 15 and there is now better accountability for fire responses at both fire stations. He acknowledged Chief Barbee as this was a two year process that included involvement with the firefighter personnel.

Fire Chief Barbee stated this has been a big undertaking on behalf of the fire department. He stated the fire personnel are committed to the department and Town.

Councilman Satterfield commended Fire Chief Barbee and he added he believes this will work well for the Town of Clayton.

- **Distribution of quarterly financial report.**

Town Manager Steve Biggs provided two handouts of the quarterly financial report; herewith attached. He provided an overview of the quarterly financial reports. He stated all revenue trends are favorable from last year and the expenditure trends are similar. He stated he will have an updated ad valorem report the first meeting of February.

Based upon question by Council, Town Manager Biggs stated he does not foresee any loss of state share revenues for the current fiscal year.

Item 9b. Town Attorney

Town Attorney Brenton McConkey stated no report.

Item 9c. Town Clerk

Town Clerk Sherry Scoggins stated no report.

Item 9d. Other Staff

Deputy Town Manager Nancy Medlin stated she was posed the question of opening the Town of Clayton Wi-Fi on Main Street for general public use. She stated through the work of VC3, the Town of Clayton Wi-Fi is broadcasting along Main Street between the Post Office and T.R. Lee and about a block on either side of Main Street. She added this is free.

Town Manager Biggs stated this is a convenience and it does not take the place of a normal business account. He stated there may be periods of time that the service is interrupted.

Deputy Town Manager Medlin stated Wi-Fi is available at no cost and there is not tech support.

Based upon question by Council, Town Manager Biggs stated connection to the public Wi-Fi does not require a password.

ITEM 10. OTHER BUSINESS

Item 10a. Informal Discussion & Public Comment.

No Informal Discussion and Public Comment were presented.

Item 10b. Council Comments.

Mayor Pro Tem Grannis stated the Town is going through a re-bid process for the Northeast Park. He questioned if that impacts the dog park.

Town Manager Biggs stated the dog owner park is not included as part of the formal bid process for East Clayton Community Park.

Based upon question by Council, Town Manager Biggs stated the opening of the dog owner park would be open to the public in late spring or early summer.

Councilman Satterfield stated a budget has not yet been approved for that item.

Councilman Lawter stated Parks & Recreation Director Bailey is working on budget numbers for the dog owner park.

Councilman Harding stated he would like the Council to consider approaching the elected County officials for assistance with funding for animals that are at brought to the local SPCA and animal shelter from outside the Town.

ITEM 11. ADJOURNMENT

With there being no further business brought before the Council, Councilman Satterfield motioned to adjourn; Councilman Holder seconded the motion. Motion carried unanimously at 8:12 PM.

Duly adopted by the Town Council this ____ day of February 2011, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC,
Town Clerk

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 3b

Meeting Date: 2/07/11

TITLE: TWO FINAL ACCEPTANCES FOR ASPHALT WORK AT MOSS CREEK SUBDIVISION PHASES 1 & 2 AND GLEN LAUREL EAST PHASE 1.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
1-18-11	Presentation.	Memorandums (2).
02-07-11	Approval.	Memorandums (2).

TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE
(919) 553-1530

VEHICLE MAINTENANCE
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Sherry Scoggins, Town Clerk
From: Chris Rowland, Construction Inspector *CR*
Copy: Daniel Blackburn, PE, Blackburn Engineering
Date: January 4, 2011
Re: Moss Creek Subdivision, Phases 1 & 2

Please place a final acceptance request of the subject phase asphalt pavement on the next available agenda. Asphalt condition was inspected and found to be satisfactory. Upon Council acceptance, the Town will assume all maintenance duties.

received
1-5-11 *DLA*

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"ENVIRONMENT"

PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Sherry Scoggins, Town Clerk
From: Chris Rowland, Construction Inspector *CR*
Date: January 4, 2011
Cc: Chad E. Blackmon, PE, Blackmon Development
Subject: Glen Laurel East, Phase 1

Please place a final acceptance request of the subject phase asphalt pavement on the next available agenda. Asphalt condition was inspected and found to be satisfactory. Upon Council acceptance, the Town will assume all maintenance duties.

received
1-5-11 *DS*

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 6a

Meeting Date: 2/07/11

TITLE: PROPOSAL REGARDING A RENTAL PROPERTY REGISTRATION PROGRAM AS ADOPTED IN THE 2010-2011 RETREAT AND WORK PLANS.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
02-07-11	Approval.	Memorandum.

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 7a

Meeting Date: 2/07/11

TITLE: PROCLAMATION PROCLAIMING FEBRUARY AS AMERICAN HEART MONTH.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
02-07-11	Approval.	Proclamation.

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 8c

Meeting Date: 2/07/11

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Council Mtg – Monday, February 7, 2011 @ 7:30 PM
- Downtown Development Association Mtg – Monday, February 7, 2011 @ 7:30 PM in Room GS 223
- Clayton Fire Advisory Board Mtg – Monday, February 7, 2011 @ 8 PM, 325 West Horne Street
- ~~Board of Adjustment Mtg – Wednesday, February 16, 2011 @ 6 PM - Cancelled~~
- Council Mtg – Monday, February 21, 2011 @ 7:30 PM
- The Palladian Series: Tommy Emmanuel – Saturday, February 26, 2011 @ 8 PM
- Planning Board Mtg – Monday, February 28, 2011
- Council Mtg – Monday, March 7, 2011 @ 7:30 PM
- Colin Hay – Sunday, March 13, 2011 @ 8 PM
- Sunshine Week – March 13 – 19, 2011
- Board of Adjustment Mtg – Wednesday, March 16, 2011 @ 6 PM
- Council Mtg – Monday, March 21, 2011 @ 7:30 PM
- Planning Board Mtg – Monday, March 28, 2011 @ 7 PM
- Council Mtg – Monday, April 4, 2011 @ 7:30 PM
- Downtown Development Association Mtg – Monday, April 11, 2011 @ 7:30 PM in Room GS 223
- Council Mtg – Monday, April 18, 2011 @ 7:30 PM
- Board of Adjustment Mtg – April 20, 2011 @ 6 PM
- Good Friday Holiday – Friday, April 22, 2011
- Planning Board Mtg – Monday, April 25, 2011 @ 7 PM
- Clayton Library Board Mtg – Thursday, April 28, 2011 @ 2:30 PM at the Hocutt-Ellington Library, 100 South Church Street
- Council Mtg – Monday, May 2, 2011 @ 7:30 PM
- NCLM Town Hall Day – Wednesday, May 4, 2011
- Council Mtg – Monday, May 16, 2011 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, May 18, 2011 @ 6 PM
- Planning Board Mtg – Monday, May 23, 2011 @ 7 PM
- Council Mtg: FY 11-12 Budget Work Session – **TUESDAY**, May 24, 2011, @ 6 PM, Location to be announced
- Memorial Day Holiday – Monday, May 30, 2011
- Council Mtg – Monday, June 6, 2011 @ 7:30 PM Downtown Development Association Mtg – Monday, June 13, 2011 @ 7:30 PM in Room GS 223
- Board of Adjustment Mtg – Wednesday, June 15, 2011 @ 6 PM
- Council Mtg – Monday, June 20, 2011
- Planning Board Mtg – Monday, June 27, 2011 @ 7 PM
- Independence Day Holiday – Monday, July 4, 2011
- Clayton Library Board Mtg – Thursday, July 14, 2011 @ 4:30 PM at the Hocutt-Ellington Library, 100 South Church Street

- Council Mtg – Monday, July 18, 2011 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, July 20, 2011 @ 6 PM
- Planning Board Mtg – Monday, July 25, 2011 @ 7 PM
- Council Mtg – Monday, August 1, 2011 @ 7:30 PM
- Downtown Development Association Mtg – Monday, August 8, 2011 @ 7:30 PM in Room GS 223
- Council Mtg – Monday, August 15, 2011 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, August 17, 2011 @ 6 PM
- Planning Board Mtg – Monday, August 22, 2011 @ 7 PM
- 2011 ElectriCities Annual Conference – August 25 – 27, 2011; Grove Park Inn Asheville
- Labor Day Holiday – Monday, September 5, 2011
- Council Mtg – **TUESDAY**, September 6, 2011 @ 7:30 PM
- Council Mtg – Monday, September 19, 2011 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, September 21, 2011 @ 6 PM
- Planning Board Mtg – Monday, September 26, 2011 @ 7 PM
- Council Mtg – Monday, October 3, 2011 @ 7:30 PM
- Clayton Library Board Mtg – Thursday, October 6, 2011 @ 2:30 PM at the Hocutt-Ellington Library, 100 South Church Street
- Downtown Development Association Mtg – Monday, October 10, 2011 @ 7:30 PM in Room GS 223
- Council Mtg – Monday, October 17, 2011 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, October 19, 2011 @ 6 PM
- 2011 North Carolina League of Municipalities (NCLM) Annual Conference – October 23 -25, 2011; Raleigh
- Planning Board Mtg – Monday, October 24, 2011 @ 7 PM
- Council Mtg – Monday November 7, 2011 @ 7:30 PM
- Veteran’s Day Holiday – Friday, November 11, 2011
- Downtown Development Association Mtg – Monday, November 14, 2011 @ 7:30 PM, site TBA
- Board of Adjustment Mtg – Wednesday, November 16, 2011 @ 6 PM
- Council Mtg – Monday, November 21, 2011 @ 7:30 PM
- Thanksgiving Day Holiday – Thursday, November 24, 2011 & Friday, November 25, 2011
- Planning Board Mtg – Monday, November 28, 2011 @ 7 PM
- Council Mtg – Monday December 5, 2011 @ 7:30 PM
- Downtown Development Association Mtg – Monday, December 12, 2011 @ 7:30 PM in Room GS 223
- Council Mtg – Monday, December 19, 2011 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, December 21, 2011 @ 6 PM
- Christmas Holiday – Monday, December 26, 2011 & Tuesday, December 27, 2011
- Planning Board Mtg – **WEDNESDAY**, December 28, 2011 @ 7 PM

Date:
02-07-11

Action:
Information.

Info. Provided:
Calendar of Events.